

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TELLER, an individual,

Plaintiff,

vs.

GERARD DOGGE (p/k/a GERARD BAKARDY),
an individual,

Defendant.

Case No. 2:12-cv-00591-JCM-GWF

ORDER

Reply to Order (#48)

This matter comes before the Court on Defendant Gerard Dogge's ("Defendant") Reply to the Court's Order, filed on November 26, 2012. In its November 20, 2012 Order (#46), the Court granted Plaintiff's Motion (#41) to seal Exhibits 3, 4, and 10 to Defendant's Motions (#34-38) ("Motions") and Answer (#39), and Attachment 1 to Plaintiff's Motion (#8). The Court sealed Exhibits 3 and 4 and Attachment 1 because they contain confidential settlement offers and Plaintiff's proprietary trade information. The Court sealed Exhibit 10 to Defendant's Motions and Answer because they contain Plaintiff's personal email address. The Court informed Defendant that should he wish Exhibit 10 be a part of the public record, he re-file it with Plaintiff's email address redacted. *See Doc. #46* at 3:7-9.

Defendant now moves to re-file Exhibit 10 as instructed, and to re-file Exhibits 3 and 4 to his Motions and Answer with the amount of the settlement offer redacted. The Court finds, however, that the emails within Exhibits 3 and 4 contain in their entirety proprietary and confidential information. Therefore, because the balance between public and private interests at stake in sealing Exhibits 3 and 4 remain in favor of Plaintiff even with the settlement offer amount redacted, they shall remain sealed. As the Court explained in its Order (#46), sealing the Exhibits

1 does not affect Defendant's ability to use them in this litigation, to the extent they are relevant and
2 admissible. *See Doc. #46* at 2:16-17. Accordingly,

3 **IT IS HEREBY ORDERED** that the Clerk of the Court shall seal Defendant's Reply to
4 Order (#48), because it contains copies of Exhibits 3 and 4 to Defendant's Motions (#34-39) and
5 Answer (#39), which the Court previously ordered sealed (#46). To the extent Defendant wishes
6 Exhibit 10 to his Motions (#34-38) and Answer (#39) be a part of the public record, Defendant is
7 instructed to re-file only Exhibit 10 with Plaintiff's email address redacted.

8 DATED this 28th day of November, 2012.

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11 GEORGE FOLEY, JR.
12 United States Magistrate Judge
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